

Resolution Number TC-1849

April 15, 2010

Project Code: None
Project No.: F 021-1(8)
Location: US 50 MP 92.841 – 93.558
County: Montrose

WHEREAS, the City of Montrose (City) accepted by Resolution, dated July 2, 2009, approving
an Intergovernmental Agreement between the Colorado Department of Transportation (CDOT)
and the City for the transfer of jurisdiction over certain sections of US 50 (Main Street) and San
Juan Avenue; and

WHEREAS, The City of Montrose and CDOT executed an Intergovernmental Agreement
establishing terms and conditions for the transfer of ownership to the City of Montrose that
certain segment of US 50 known as Main Street between US 50 Mile Post 92.841 and US 50
Mile Post 93.558 (Townsend Avenue to San Juan Avenue), and for the transfer of ownership to
CDOT that certain portion of San Juan Avenue between US 50 Mile Post 91.878 and US 50 Mile
Post 93.558 (Townsend Avenue to Main Street); and
WHEREAS, under Section 43-2-102, Colorado Revised Statutes (C.R.S), CDOT has the
responsibility to maintain US 50 and the Transportation Commission of Colorado has the
responsibility, under Section 43-1-106, C.R.S., to formulate the general policy with respect to
such maintenance; and

WHEREAS, the Transportation Commission also has the authority, under section 43-2-106,
C.R.S., to abandon that portion of US 50 (Main Street) from San Juan Avenue to Townsend

Avenue which is no longer needed as a State Highway; and

WHEREAS, the Transportation Commission also has the authority, under Section 43-2-106,
C.R.S., to accept San Juan Avenue (San Juan Bypass) between Main Street and Townsend
Avenue; and

WHEREAS, CDOT requests that the Transportation Commission re-designate San Juan Avenue

as US 50 from Main Street to Townsend Avenue and re-designate Townsend Avenue (US 50) to

US 550 from Main Street to San Juan Avenue; and

WHEREAS, within 90 days of the official notification of such abandonment by the

Transportation Commission, the City of Montrose shall execute a Resolution or Ordinance

accepting full responsibility and ownership of the abandoned portion of US 50 (Main Street)

from San Juan Avenue to Townsend Avenue as a city street in the “as is” condition; and

WHEREAS, within 90 days of the date of execution of the City of Montrose Resolution or

Ordinance accepting the abandoned portion of US 50, CDOT will execute a quitclaim deed

conveying to the City of Montrose the abandoned portion of US 50 that will include a reversion

provision stating that if the property that is the subject of the quitclaim deed is not used for

public transportation purposes, title to such property will automatically revert back to CDOT;

and

WHEREAS, concurrent with the execution of the quitclaim deed by CDOT, the City of

Montrose will execute a special warranty deed conveying to CDOT that portion of San Juan

Avenue located between Main Street and Townsend Avenue; and

WHEREAS, the Chief Engineer, the Department of Transportation, and the Executive Director

are authorized pursuant to Colorado Revised Statutes (C.R.S.) 29-1-203, 43-1-106, 43-1-110, 43-

1-114, 43-2-101, 43-2-110, 43-2-144, and 43-2-303, to make determinations regarding

abandonment of State Highway(s) to affected county(s) or municipality(s); and

WHEREAS, the Transportation Commission concurs with the Chief Engineer that the portion of

US 50 (Main Street) to be abandoned is no longer needed for State Highway purposes.

NOW THEREFORE BE IT RESOLVED, pursuant to the Code of Federal Regulations, Title 23,

Part 620, Subpart B (23 CFR 620.203, Subpart B), and the provisions of Colorado Revised

Statutes, Sections 29-1-203, 43-1-106, 43-1-110, 43-1-114, 43-2-101, 43-2-106, 43-2-110, 43-2-

144, and 43-2-303, the Department of Transportation be given the authority to relinquish to the

City of Montrose, by Quit Claim Deed, that portion of US 50 between Mile Post 92.841 and Mile

Post 93.558 (Main Street between Townsend Avenue and San Juan Avenue), as shown on

Exhibits B-1 and B-2, containing approximately 0.72 linear miles, subject to the condition that if

the property described in the Quit Claim Deed is not used for public transportation purposes, title

to such property will automatically revert back to CDOT, and BE IT FURTHER RESOLVED

that the Department of Transportation be given the authority to accept San Juan Avenue between

US 50 Mile Post 91.878 and US 50 Mile Post 93.558 (San Juan Avenue between Townsend

Avenue and Main Street), as shown on Exhibits C-1 and C-2, containing approximately 1.36

linear miles, and approves the re-designation of US 50 to coincide with the same, together with

the authority to re-designate that portion of US 50 between Mile Post 91.878 and Mile Post

92.841 (Townsend Avenue between San Juan Avenue and Main Street) as US 55